

## **Political Party Qualification Process, Requirements, and History**

The method by which political parties gain, and retain, qualified status in California is prescribed in the Elections Code sections 5000-5200.

In order to achieve initial qualified status, thereby allowing a political party to participate in any primary election, a proposed political party must:

1. Hold a caucus or convention to elect temporary officers and designate a party name; § 5001(a)
2. File a formal notice with the Secretary of State, declaring that the political body has organized, elected temporary officers, and declared an intent to qualify as a political party pursuant to Elections Code section 5100. This notice must include the names and addresses of the temporary officers of the political body; § 5001(b)

and

3. Use one of two methods to qualify as a political party: voter registration or petition. § 5100

To qualify a new political party by voter registration requires that 103,004 (1% of 10,300,392 votes cast at the last gubernatorial election) persons complete an affidavit of registration, on which they have disclosed a preference for the political body intending to qualify as a political party, by writing in the name of the political body. § 5100(b)

These completed affidavits of registration must be submitted to the county elections officials 154 days prior to any primary election. The completed affidavits of registration should be submitted to the elections official in the counties of the voters' residences. They may be submitted to the Secretary of State's office, although this will result in delays in the receipt of the affidavits by the counties. § 2187(d)(1)

No later than 135 days prior to any primary election, the Secretary of State must determine, from examining and totaling the reports of registration from the counties, that the political body obtained voter registrations equal in number to 1% of the entire vote of the state in the last gubernatorial election. 135 days prior to the June 5, 2012, Presidential Primary is January 22, 2012; § 5100(b)

or

To qualify a new political party by petition, no later than 135 days prior to the primary election, the Secretary of State must determine if a political body intending to qualify collected 1,030,040 (10% of 10,300,392 votes cast at the last gubernatorial election) petition signatures of registered voters. § 5100(c)

In order for the Secretary of State to make this determination on or before the 135th day prior to the primary election, the counties must have ample time to count and verify the signatures. 135 days prior to the June 5, 2012, Presidential Primary is January 22, 2012.

Once qualified, a political party maintains its qualified status by:

1. Retaining registrants representing at least 1/15 of 1% (.00067%) of the total state registration;  
§ 5101

and

2. Having one of its statewide candidates (running for Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner or United States Senator) receive at least 2% of the entire vote of the state for that office at the preceding gubernatorial election;  
§ 5100(a)

or

Retaining statewide registration equaling at least 1% of the total votes cast at the preceding gubernatorial election.  
§ 5100(b)

There are currently **six** qualified political parties in California: Democratic, Republican, American Independent, Green, Libertarian, and Peace and Freedom. In addition to the Democratic and Republican parties, which have participated in state primary elections since 1910, six other parties have qualified since 1967. In 1968, both the American Independent Party and the Peace and Freedom Party qualified by the voter registration method; however, in 1998, the Peace and Freedom Party failed to meet the requirement that one of its candidates receive 2% of the vote for the particular office and therefore lost its qualified status. The Libertarian Party achieved the requisite number of registrants in 1980; the Green Party reached the required number in 1992. In 1996, the Natural Law and the Reform parties garnered the requisite number of registered voters. In 2003, the Peace and Freedom Party regained its qualified status and the Reform Party failed to meet the requirements to retain its qualified status. The Natural Law Party lost its qualified status in 2006.

Since the statewide party nomination process began in 1910, 18 parties have qualified to participate in primary elections, including:

*Democratic 1910-present	Progressive 1934-1938
*Republican 1910-present	Townsend 1938-1942
*Independence League 1910	Independent Progressive 1948-1954
*Prohibition 1910-1962	American Independent 1968-present
*Socialist 1910-1938	Peace and Freedom 1968-1998; 2003-present
Progressive (Bull Moose) 1912-1918	Libertarian 1980-present
Liberty 1932-1934	Green 1992-present
Commonwealth 1934-1938	Natural Law 1996-2006
Communist 1934-1944	Reform 1996-2002

Prior to 1910, many parties either conducted conventions or held primary elections to select their candidates for the statewide general election.

For additional information regarding qualifying a political party, please visit the Secretary of State's website at [www.sos.ca.gov/elections/political-party-qualification.htm](http://www.sos.ca.gov/elections/political-party-qualification.htm).

\* Active before 1910.

**Candidate Qualifications and Information**  
**Offices to Be Voted on at the June 5, 2012, Presidential Primary Election**

**Partisan Office**

<b>Office</b>	<b>Term of Office</b>	<b>Term Begins</b>	<b>Number of Districts</b>	<b>Qualifications</b>
President	4 yrs.	Jan. 20, 2013 (noon)	N/A	Natural-born citizen of the United States, at least 35 years of age, resident of the United States for at least 14 years.

**Voter-Nominated Offices**

<b>Office</b>	<b>Term of Office</b>	<b>Term Begins</b>	<b>Number of Districts</b>	<b>Qualifications</b>
United States Senator	6 yrs.	Jan. 3, 2013 (noon)	N/A	At least 30 years of age, citizen of the United States for at least nine years, and inhabitant of the state when the term begins.
United States Representative in Congress	2 yrs.	Jan. 3, 2013 (noon)	53	At least 25 years of age, registered voter, United States citizen for at least seven years, resident of California when the term begins.
State Senator	4 yrs.	Dec. 3, 2012	20 (odd - numbered)	United States citizen, registered voter in the district at the time nomination papers are issued. <sup>1</sup> May not have served two terms in the State Senate since November 6, 1990.
Member of the Assembly	2 yrs.	Dec. 3, 2012	80	United States citizen, registered voter in the district at the time nomination papers are issued. <sup>1</sup> May not have served three terms in the State Assembly since November 6, 1990.

<sup>1</sup>Article IV, section 2(c), of the California Constitution requires a one-year residency in the legislative district and California residency for three years; however, it is the legal opinion of the Secretary of State's office that these provisions violate the U.S. Constitution.